

REMARKS

Claims 6-48 are pending in the Application. All claims stand rejected. Applicant has made clarifying corrections to the claims as filed. Applicant traverses all grounds of rejection on the prior art. Additionally, Applicant presents new claims 49-62 relating to processing of signals from different sources. These claims are clearly supported in the Application as filed as discussed below.

All of the claims relate to processing a first signal and a second signal from a first and a second source respectively. Claims 6-48 relate particularly to picture in picture display from different sources, processing data from different sources and methods therefore. Claims 49-62 are directed particularly to digital embodiments providing for both simultaneous provision of signals from first and second sources for decoding and for recording.

The Pauley Reference – Channels vs. Sources

A major open issue is the significance of the Pauley reference, United States Patent No. 5,900,916 ("Pauley"). Claim 2 of the Action states that claims 6-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pauley and Schein, *et al.*, United States Patent No. 5,801,787.

Paragraph 2 of the Action states

Considering claim 1, Pauley discloses an apparatus and corresponding method for selecting the sources of at least two shows capable of being received and displayed by an entertainment system comprising: selecting for viewing, a first show associated with a first channel, displaying the first show; selecting for viewing, a second show associated with a second channel; and displaying the second show.

Pauley does indeed teach showing first and second channels. However, Pauley does not contain teachings that would enable it to serve as a base reference. Applicant recites first

and second signals received from first and second sources respectively. Pauley clearly and explicitly points out that showing first and second channels does not teach accessing first and second sources.

Pauley explicitly defines "channel" and "source" at column 5, lines 11-21. A "channel" is defined as a discrete selection of displayable images from a source. Any mode of input maybe utilized, for example, a television station, cable system, or player. A "source" means a provider of information such as a television station, cable provider or the like, and may provide one or more channels. Pauley explicitly defines a plurality of channels as selections coming from a single source. Paragraph 2 of the rejection correctly points out that Pauley teaches viewing a first show associated with a first channel and a second show associated with a second channel. However, Pauley explicitly teaches different shows from different channels coming from only one source at a time.

In his summary of the invention, Pauley is quite explicit as to what he is teaching. At column 3, lines 7-18, Pauley states that initially a first channel is displayed in a main picture portion of a display, and a second channel is displayed in a PIP (picture in picture). Upon changing the first channel to a third channel for the main picture, the first channel is then displayed in the PIP. Thus, the third channel is displayed on the main picture and the first channel is displayed on the PIP. Pauley is explicitly dealing with channels. He has explicitly distinguished channels from sources. Again, at column 3, lines 38-44, Pauley discusses his preview mode in which the PIP contains the channel which would be displayed on the main picture by the next or sequential activation of the up channel button. At column 4, lines 7-10, Pauley states, "Structurally, the system generates a monitor, a PIP circuit which serves to display a first channel on a first portion of the monitor and to display a second channel on a

second portion of the monitor..." In column 5, at lines 43-45, the specification refers to sources for inputs 22 and 24. However, when Pauley is discussing structure and operation, only two channels from one source at a time are treated. See for example, column 6, lines 10-12 which describe changing a main picture from one channel to a next channel.

To characterize Pauley as teaching anything other than viewing of channels from a single source requires taking a teaching from outside of Pauley's specification. Pauley describes and claims display of images from multiple channels. In column 5, he is absolutely explicit that a channel is not a source. Under MPEP 2103, teachings on which to base a rejection must be found in the art of record. To find a way of using Pauley to meet Applicant's treatment of different sources would require the use of teachings from Applicant's specification. Such rejections are not permitted by the Board of Patent Appeals and Interferences.

#### Pauley and Selection of Two Sources

Applicant's claims each recite receiving a first user source selection and a second user source selection in order to select first and second shows or digital bit streams for coupling to display or other utilization means. As described above, Pauley discloses selection of channels, not sources. Additionally, Pauley does not teach making first and second channel selections in order to select two items to display.

At column 3, lines 8-18, Pauley describes a review mode. One picture is selected, and a previous picture is placed in the picture in picture (PIP). Lines 19-44 of column 3 describe Pauley's preview mode. A channel is selected, and that channel is displayed. The PIP will then display the channel which would be next if a user invokes selection of the next

channel. Pauley specifically teaches that the channel displayed in the PIP is always a function of the selection for a main picture. Under Pauley's teachings, it is impossible to select the main display and the PIP independently. However, Applicant recites separate selection of the first and second sources. A next selection is not automatically determined based on a first selection. The pair of channels viewed is a function of one selection. For this reason too, it is submitted that Pauley does not serve as a base reference.

The Schein Reference

Paragraph 2 of the rejection also states that Schein's display system allows the user to select one or more shows from multiple occurrences of the same shows from various input sources (e.g. DBS, Cable, regular broadcast, etc.)." The advantage is that the user can select a desired source at a desired time for a particular show. It is respectfully submitted that the characterization of Schein in paragraph 2 at page 3 of the Action does not meet what Applicant has claimed. The Action uses Schein's column 6, lines 39-52 as support for the proposition that first and second show selections are displayed. However, Applicant explicitly recites showing both said first selection and second selections at the same time. Schein does not teach this. Schein teaches displaying only one show at a time. Schein teaches that a user may mark a show to be placed on a reminder list. A television may be tuned automatically to the show on the reminder list. The show selected from the reminder list is not displayed at the same time as any other show. Applicant explicitly recites viewing first and second images from first and second sources. Schein specifically teaches that displays of his selections are mutually exclusive. Schein's teachings are thus explicitly contrary to that which Applicant claims. The MPEP does not permit basing a rejection on a reference teaching operation different from that recited in the claims.

Paragraph 2 of the Action relies heavily on column 6, lines 39-52 to support the teaching of receiving and displaying a first source selection and a first show selection and receiving and displaying a second source selection and a second show selection. It is entirely appropriate that the checklist at page 3 of the Action is drawn from Applicant's claim 6. Only Applicant's claim 6 provides these teachings. A closer look at column 6, lines 39-52 will reveal that which Schein teaches rather than that which is recited by Applicant. This paragraph states:

After identifying when a show is to be played the user may conduct any one of several operations. In a common case the user will toggle the cursor down to a particular instance of a show and strike a "record" button on the remote control. The system will then tune the VCR to the proper program at the designated time and record the show. In other embodiments, the user will mark the show to be placed in a reminder list. When the time for the show in the reminder list arises the system will either tune automatically to that show or prompt the user to determine if the user wishes to have the television tuned to that particular channel. In other cases, the user may use the information for the purpose of recalling that he/she wishes to return to the television at that particular time.

Schein explicitly teaches that only one show is selected. Only one source selection is received. The Action goes on to state that Schein's display system allows the user to select one or more shows from multiple occurrences of the same shows from various input sources. The advantage is that the user can select a desired source at a desired time for a particular show. In this paragraph, the Action points out the explicit distinction between Schein and the claims. The Action itself points out that a user can select a desired source at a desired time for a particular show. This is only a single selection. There are not two selections. This paragraph of the Action refers to multiple occurrences of the same shows from various sources. However, only one selection is made. The teaching of displaying a first show selection and a second show selection comes only from Applicant's specification. MPEP

2103 requires that teachings on which a rejection is based must come from the prior art. It is therefore submitted that the rejections based on Schein and Pauley warrant withdrawal.

It is therefore submitted that even if Schein and Pauley could be combined, the claims are not met.

#### CLAIMS 49-62

Claims 49-53 are directed to a digital integrated receiver decoder. Claims 54-57 are directed to a method for recording first and second bit streams, and claims 58-62 are directed to a digital television receiver. Each claim is clearly supported in the Application as filed and clearly distinguishes over Schein and Pauley. Claims 49-62 are directed toward digital embodiments. These claims recite first and second bit streams received from first and second sources. The provision of digital bit streams from different sources is supported in the Application as filed, for example, at page 7, lines 13-19. Claims 49-53 recite a transport processor and a decoder. The provision of broadcast signals from at least two sources is further described at page 13, lines 13-19.

Claims 49-53 recite a transport processor. A transport processor by definition receives transport messages, i.e. a digital bit stream. The stream gets parsed and demultiplexed by the transport processor and data is taken therefrom. It is for this reason that the specification refers to Transport Packet Parser (TPP) and filter blocks 302, 306 and 310<sub>1</sub>-301<sub>n</sub> at page 12, lines 8-11. There is also a transport demultiplexor 370<sub>1</sub>....370<sub>n</sub>, as discussed at page 13, lines 3-8. The decoder recited in claim 49 comprises, for example, the decoder of Figure 2 denoted by block 210 and described at page 10, line 22. The recited front-ends are supported on the specification at page 9, lines 8-10 and 15-25.

Video decoding is discussed at page 14, lines 4-17. As pointed out at page 14, lines 18-20, decoded video signals are provided for display and may further be provided for recording. Claims 58-62 are directed to a television receiver comprising tuners. As pointed out in the specification at, for example, page 9, lines 4-8, the front-end unit, e.g. 170, includes a tuner. Again, first and second sources are independently selected and simultaneously provided to utilization means such as a recorder or a decoder. New claims 49-62 explicitly distinguish over Pauley and Schein.

It is therefore submitted that each of Schein and Pauley do not teach explicit limitations recited in Applicant's claims. The teachings to utilize the specific features of Applicant's claims are only found in Applicant's specification. It is further submitted that claims 49-62 distinguish over the references taken together.

Favorable action is therefore earnestly solicited.

### CONCLUSION

In view of the amendments and remarks made above, it is respectfully submitted that all pending are in condition for allowance, and such action is respectfully solicited.

Respectfully submitted,

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## MARKED-UP VERSION SHOWING CHANGES MADE

IN THE SPECIFICATION

Please substitute the paragraph beginning on page 43, line 1 with the following paragraph:

Recent advances by Sony Corporation [has] have resulted in the introduction of an analog NTSC-based television having an input for receiving cable-based broadcasts and a separate input for receiving local, [cabled-based] cable-based and/or terrestrial-based digital broadcasts. As a result, the consumer may select to view DSS channels and local/terrestrial/cable-based channels through the use of a single DSS system by selecting the appropriate input on the television. However, such a system does not enable the user to surf through the channels from the two different broadcast sources in a seamless manner. The user has to first select the source and then select from among the channels available from that particular source. In addition, such a system does not permit the [simultaneously] simultaneous viewing of more than one program from digitally encoded source or sources.

Please substitute the paragraph beginning on page 3, line 1 and ending at line 15 with the following:

One aspect of the present invention relates to a system and method for selecting the sources of at least two shows capable of being received and displayed by an entertainment system. The user selects for viewing, a first show associated with a first channel from a first source. The first show is then displayed. The user also selects for viewing, a second show associated with a second channel from [any one of] either the first source or [and] a second [sources] source. The second show is then displayed. A second aspect of the present invention relates to a system and method for selecting the sources of at least two shows capable of being received and displayed by an entertainment system. The user selects for

viewing, a first show associated with a first channel from a first source. The first show is displayed on a first portion of a display screen. The user also selects for viewing, a second show associated with a second channel from [any one of] either the first source or [and] a second [sources] source. The second show is simultaneously displayed on a second portion of the display screen.

Please replace the paragraph on page 5 beginning at line 1 and ending at line 12 with the following paragraph:

In one embodiment, the present invention relates to a system and method for providing seamless viewing of programs provided from at least two different sources. In one embodiment, the sources may include a satellite broadcasting station, a cable programming station and one or more local programming stations. The sources may be either digital [Advanced Television Systems Committee (ATSC) compliant] or and/or [National Television Systems Committee (NTSC) compliant]. In one embodiment, each of the stations may modulate the corresponding broadcast signals using any modulation [techniques] technique, including: amplitude modulation, frequency modulation or frequency shift keying, and phase modulation. The present invention also provides [simultaneously] simultaneous display and/or recording of programs from two different sources.

## CLAIMS

6. (Amended) A method for selecting the user-specified sources of at least two shows capable of being received and displayed by an entertainment system, comprising:  
receiving a first user-specified show selection;

displaying a first plurality of sources available for providing the first user-specific show selection;

receiving a first user-specified source selection from the first plurality of sources;

receiving a first signal from the first user identifying a selected source for the first user-specified show selection;

displaying the first user-specified show selection [provided by the first user-specified source selection] on a first portion of a display screen;

receiving a second user-specified show selection;

displaying a second plurality of sources available for providing the second user-specified show selection;

receiving a second user-specified source selection [from the second plurality of sources] identifying a selected source for the second user-specified show selection; and

receiving a second signal from the second user-specified source concurrently

displaying the second user-specified show selection [provided by the second user-specified source selection] on a second portion of the display screen.

7. (Amended) The method of claim 6, wherein the first [user-specified source selection transmits broadcast signals using] signal uses a first coding technique.

8. (Amended) The method of claim 7, wherein the second [user-specified source selection transmits broadcast signals using] signal uses a second coding technique that is different from the first coding technique.

16. (Amended) An entertainment system comprising:

    a display monitor; and

a broadcast receiver coupled to the display monitor, the broadcast receiver including a first front-end unit capable of receiving programming data to be viewed on the display monitor, the programming data associated with a first user-specified show selection provided by a first user-specified source selection from a first plurality of sources displayed for providing the first user-specified show selection;

a second front-end unit capable of receiving programming data to be viewed on the display monitor, the programming data associated with a second user-specified show selection provided by a second user-specified source selection from a second plurality of sources displayed for providing the second user-specified show selection;

a plurality of memory elements and;

a central processing unit coupled to the plurality of memory elements, the central processing unit executing software to assist the broadcast receiver in loading programming data associated with one of either the first user-specified show selection or the second user-specified show selection into one of the plurality of memory elements along with information to display said first user-specified show selection on the display monitor upon receiving a first show selection signal, and to display said second user-specified show selection on the display monitor upon receiving a second show selection signal, the first and second user-specified show selections being processed concurrently and separately by the first front-end unit and the second front- end unit, respectively and displayed [continuously] concurrently.

31. (Amended) The entertainment system of claim 26, wherein [the] said first [user-specified source selection transmits] front-end receives broadcast signals using a first coding technique.

32. (Amended) The entertainment system of claim 31, wherein [the] said second [user-specified source selection transmits] front-end receives [broadcasts] broadcast signals using a second coding technique that is different from the first coding technique.

41. (Amended) A method for selecting the sources of at least two selections capable of being separately received, processed, and displayed, recorded or displayed and recorded by an entertainment system comprising:

receiving a first user-specified selection;

in response to receiving a first user-specified selection, displaying a first plurality of sources available for providing the first user-specified selection;

receiving a first user-specified source selection from the first plurality of sources;[and]

receiving a second user-specified selection;

in response to receiving the second user-specified selection, displaying a second  
plurality of sources available for providing the second user-specified selection;

receiving a second user specified source selection from the second plurality of  
sources; and

separately processing and concurrently servicing the first user-specified show  
selection provided by the first user-specified source selection and the second user-specified  
show selection by the second user-specified source selection.

46. (Amended) A method for selecting the sources of at least two selections capable of being separately received, processed and displayed, recorded or displayed and recorded by an entertainment system comprising:

receiving a plurality of user-specified selections;  
in response to receiving the plurality of user-specified selections, displaying a plurality of sources available for providing each of the plurality of user-specified selections;  
receiving a user specified source selection for each of the plurality of user-specified selections; and  
separately processing and concurrently servicing each of the plurality of user-specified selections provided by its corresponding user-specified source selection.